

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FAIRSTAR HEAVY TRANSPORT NV,

Plaintiff,

-v-

FAIRMOUNT MARINE B.V.,

Defendant.

No. 08 Civ. 7044 (LTS)
EX PARTE ORDER APPOINTING A
SPECIAL PROCESS SERVER

RICHARD J. SULLIVAN, District Judge:

WHEREAS, on August 7, 2008, plaintiff Fairstar Heavy Transport NV filed under seal a Verified Complaint for damages amounting to \$77,500,000.00 inclusive of interest, costs, and attorneys' fees, and praying for the issuance of an ex parte order for Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and

WHEREAS on August 7, 2008, this Court issued an Ex Parte Order for Process of Maritime Attachment and Garnishment; and

WHEREAS Plaintiff has made an application for an Order Appointing a Special Process Server pursuant to Rule 4(c) of the Federal Rules of Civil Procedure; and

WHEREAS the Court has reviewed the Affidavit submitted by Charles E. Murphy, Esq., in support of the application; IT IS HEREBY


ORDERED that any partner, associate, paralegal or agent of Lennon, Murphy & Lennon, LLC, are hereby appointed, in addition to the United States Marshal, to serve the Order for Process of Maritime Attachment and Garnishment and Verified Complaint upon any garnishee(s) within this district upon whom a copy of the Order may be served, and who, based

upon information developed subsequent hereto by the plaintiff, may hold assets for or on account of the defendants; and,

IT IS FURTHER ORDERED that service on any garnishee as described above is deemed effective for the length of time and to the extent that the garnishee's written rules or policies so provide.¹

SO ORDERED.

Dated: August 8, 2008
New York, New York



RICHARD J. SULLIVAN (PART I)
UNITED STATES DISTRICT JUDGE

¹ By order dated August 7, 2008, the Court directed that this Order, and all other documents in this case, shall be filed and maintained under seal until the date on which any of the Defendant's property is attached pursuant to Rule B or, if no such attachment is made, within thirty days of the date of the August 7, 2008 sealing order, at which time plaintiff may apply for a second temporary sealing order.